

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 29-61 and 63 are pending. In the Office Action claims 30-32 were allowed and claims 29, 33-63 were indicated as containing allowable subject matter if amended to overcome the rejections under 35 U.S.C. § 112, 2nd paragraph. Claim 63 was rejected under 35 U.S.C. § 101. No rejections based upon prior art were made. Responsive thereto Applicant has amended the claims and specification in accord with the Examiner's suggestions as agreed to in telephone conversations on June 26 and July 8, 2008. Therefore, claims 29-61 and 63 are pending. Favorable reconsideration and allowance of the present application are respectfully requested inasmuch as the amendments to the claims automatically place the application in condition for allowance.

Allowable Subject Matter

Except for claim 62, which has been canceled, all claims were either allowed or indicated as allowable, subject to resolution of issues raised in the objections or rejections based upon 35 U.S.C. § 112, 2nd paragraph. The Examiner is thanked for this early indication of allowable subject matter and the helpful suggestions for claim phraseology, and by following those suggestions the application should now be in condition for allowance. Applicant has made every possible effort to resolve all outstanding issues.

Rejection under 35 U.S.C. § 101 - Amendments to the Disclosure

The Examiner raised an issue relating to statutory subject matter as to claim 63 based upon a discussion of the recording medium in the disclosure found on page 71. In accord with the Examiner's suggestion, and while not conceding the appropriateness of this rejection, this portion of the specification has been canceled. It is submitted that the application is now in a form which complies with the requirements for form and content.

Conclusion

Entry of the above amendments is earnestly solicited. All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Charles Gorenstein (Reg. No. 29,271) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 16, 2008

Respectfully submitted,

By 

Charles Gorenstein

Registration No.: 29,271

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant